IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14568 of 2004

Between:

Mohd. Zaki s/o. M.A. Ghani,

Aged about 42 years,

Working as Secretary to Governing Body,
Jahangir Peeran Industrial Training Institute,

Mahabubnagar, Mahabubnagar District.

..... PETITIONER

AND

1 The Chief Executive Officer, A.P. State Wakf Board, Hyderabad.
2 The Chairman, A.P. State Wakf Board, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more in the nature of writ of Mandamus to declare the action of the Respondents in not extending the period of the Petitioner as a secretary to Governing Body, JP ITI in accordance with the regulations as illegal, arbitrary, discriminatory and violative of Articles 14, 16 and 21 of Constitution of India and consequently direct the Respondents to extend the period of the petitioner as a Secretary to Governing Body for JP ITI for two more years as per the regulations issued by the Board vide proceedings No. 21/29/B3 dated 20.09.1983 and to pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.POODATTU AMARENDER

Counsel for the Respondents: MR.A.M.QURESHI (STANDING COUNSEL FOR

AP WAKF BOARD)

The Court at the admission stage made the following order:

ORDER:

The petitioner states that he was appointed as Secretary to the Governing Body, Jahangir Peeran Industrial Training Institute, Mahabubnagar, by the first respondent-Chief Executive Officer, A.P.State Wakf Board, Hyderabad vide proceedings No.P2/141/MBNR/JPITI, dated 18-07-2003. Admittedly, the term of the office was for a period of one year and it expired on 20-07-2004. However, the petitioner states that he made an application on 29-05-2004 to the second respondent-Chairman, A.P.State Wakf Board, requesting to extend the period of the Governing Body for a further period of two years, so as to enable him to start new trades for the benefit of poor Muslim Minority students. The grievance of the petitioner is that so far no orders have been passed on his representation dated 29-05-2004 by the second respondent.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the A.P. Wakf Board appearing for the respondents.

The learned counsel for the petitioner states that as per Clause IV of the Regulations of the Governing Body, dated 20-09-1983, the term of the office of the Members shall be for three (3) academic years and therefore the petitioner is entitled for further extension.

Since the representation made by the petitioner seeking extension of the term of the office is pending before the second respondent, without expressing any opinion with regard to the entitlement of the petitioner for extension, I deem it appropriate to dispose of the writ petition with a direction to the second respondent to consider the application of the petitioner dated 29-05-2004 and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of two

weeks from the date of receipt of this order.

Accordingly, the writ petition is disposed of. No costs.

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18-08-2004

vs

Note: Issue CC in three days.

B/o

vs

To

1 The Chief Executive Officer, A.P. State Wakf Board, Hyderabad.
2 The Chairman, A.P. State Wakf Board, Hyderabad.

3 Two CD copies.

THE HON'BLE MS JUSTICE G.ROHINI

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Dated: 18-08-2004

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